
SENATE BILL 6036

State of Washington 55th Legislature 1997 Regular Session

By Senators Schow, Deccio, Anderson, Rasmussen, Horn and Oke

Read first time 03/03/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to on-the-job training for undertrained,
2 underemployed, or unemployed persons; amending RCW 19.28.510,
3 19.28.520, 19.28.530, and 39.12.021; adding new sections to chapter
4 28C.04 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that the standard of
7 living, the quality of life, and the future well-being of the people of
8 the state depend upon improving the productivity and competitive
9 position of Washington businesses. The legislature further finds that
10 graduates of the state's secondary schools are not prepared to compete
11 in the emerging world economy and that employers in the state have
12 openings for skilled workers that cannot be filled because of a lack of
13 skilled applicants.

14 It is the purpose of this chapter to strengthen the state's economy
15 by expanding on-the-job training opportunities for undertrained,
16 underemployed, or unemployed persons and by supporting efforts to
17 increase the supply of skilled workers. It is the intent of the
18 legislature to enhance the career options, qualifications for
19 employment, and earning potential of unskilled workers by building an

1 industry-driven, competency-based on-the-job training system that
2 integrates existing academic, vocational, and technical education
3 programs with worksite training.

4 NEW SECTION. **Sec. 2.** (1) The jobs for the future program is
5 hereby established to provide undertrained, underemployed, and
6 unemployed persons with on-the-job training opportunities.

7 (2) The state board for community and technical colleges shall
8 establish an on-the-job training council to operate the jobs for the
9 future partnership. The board shall provide such technical assistance
10 and staff support as is necessary to carry out the work of the council.
11 The board shall establish rules regarding the terms of office of
12 council members and the filling of vacancies on the council.

13 (3) The council shall consist of nine voting members selected by
14 the board as follows: Three representatives of business selected from
15 six nominations provided by a state-wide business organization
16 representing a cross-section of industries, both large and small; three
17 representatives of labor selected from nominations provided by a state-
18 wide labor organization representing workers from a cross-section of
19 industries, both large and small; the director of a private vocational
20 or trade school; the president of a community or technical college; and
21 the director of the state board for community and technical colleges.
22 Each voting member may appoint a designee to function in his or her
23 place with the right to vote. A member may vote by proxy for another
24 member who is not present if the present member has written
25 authorization from the absent member to cast such vote. The council
26 shall establish the procedures by which it will carry out its duties
27 under chapter . . . , Laws of 1997 (this act).

28 (4) The council shall:

29 (a) Approve occupation-specific competency standards developed in
30 concert with industry, labor, and vocational and technical education
31 professionals;

32 (b) Approve on-the-job training projects for the jobs for the
33 future partnership consistent with the provisions of section 3 of this
34 act; and

35 (c) Approve the amount per trainee that is provided via the grant
36 allowed under section 4 of this act to offset the costs of training.

1 NEW SECTION. **Sec. 3.** On-the-job training projects selected by
2 the on-the-job training council for the jobs for the future partnership
3 must demonstrate:

4 (1) The collaboration of employers, employees, and educational
5 institutions in the design of the training;

6 (2) That the occupation for which training is being provided is a
7 labor demand occupation and that trainees will, upon completion of the
8 training, meet the council-approved competency standards for the
9 occupation for which they are being trained;

10 (3) That trainees will not displace currently employed workers or
11 replace laid-off workers;

12 (4) That the training may not be for employment with a skill level
13 and complexity too low to merit training;

14 (5) That the duration of on-the-job training may not exceed the
15 duration indicated by the specific vocational preparation code
16 developed by the United States department of labor for the occupation
17 for which the training is provided and shall in no case exceed twenty-
18 six weeks;

19 (6) That at least seventy-five percent of the trainees in the
20 project are undertrained, underemployed, or unemployed and that a
21 minimum of twenty-five percent of the trainees in the project are
22 receiving temporary assistance for needy families or have received such
23 assistance or similar public assistance from the state in the previous
24 twenty-four months;

25 (7) That the on-the-job training is accompanied, concurrently or
26 otherwise, by an appropriate amount of classroom-based vocational
27 training, remedial education, or both; and

28 (8) Compliance with such other requirements as the council shall
29 establish.

30 NEW SECTION. **Sec. 4.** On-the-job training projects approved for
31 operation by the on-the-job training council are eligible for a grant
32 to offset the training costs associated with the project. The grant
33 amount allowed is equal to either the amount per trainee approved by
34 the council or one thousand five hundred dollars, whichever is less,
35 times the number of trainees in the project.

36 **Sec. 5.** RCW 19.28.510 and 1996 c 241 s 6 are each amended to read
37 as follows:

1 (1) No person may engage in the electrical construction trade
2 without having a current journeyman electrician certificate of
3 competency or a current specialty electrician certificate of competency
4 issued by the department in accordance with this chapter. Electrician
5 certificate of competency specialties include, but are not limited to:
6 Residential, domestic appliances, pump and irrigation, limited energy
7 system, signs, and nonresidential maintenance.

8 (2) A person who is indentured in an apprenticeship program
9 approved under chapter 49.04 RCW for the electrical construction trade
10 or who is learning the electrical construction trade may work in the
11 electrical construction trade if supervised by a certified journeyman
12 electrician or a certified specialty electrician in that electrician's
13 specialty. All apprentices and individuals learning the electrical
14 construction trade shall obtain an electrical training certificate from
15 the department. The certificate shall authorize the holder to learn
16 the electrical construction trade while under the direct supervision of
17 a journeyman electrician or a specialty electrician working in his or
18 her specialty. The holder of the electrical training certificate shall
19 renew the certificate annually. At the time of renewal, the holder
20 shall provide the department with an accurate list of the holder's
21 employers in the electrical construction industry for the previous year
22 and the number of hours worked for each employer. An annual fee shall
23 be charged for the issuance or renewal of the certificate. The
24 department shall set the fee by rule. The fee shall cover but not
25 exceed the cost of administering and enforcing the trainee
26 certification and supervision requirements of this chapter.
27 Apprentices and individuals learning the electrical construction trade
28 shall have their electrical training certificates in their possession
29 at all times that they are performing electrical work. They shall show
30 their certificates to an authorized representative of the department at
31 the representative's request.

32 (3) Any person who has been issued an electrical training
33 certificate under this chapter may work if that person is under
34 supervision. Supervision shall consist of a person being on the same
35 job site and under the control of either a journeyman electrician or an
36 appropriate specialty electrician who has an applicable certificate of
37 competency issued under this chapter. Either a journeyman electrician
38 or an appropriate specialty electrician shall be on the same job site
39 as the noncertified individual for a minimum of seventy-five percent of

1 each working day unless otherwise provided in this chapter. The ratio
2 of noncertified individuals to certified journeymen or specialty
3 electricians working on a job site shall be:

4 (a) From September 1, 1979, through December 31, 1982, not more
5 than three noncertified electricians working on any one job site for
6 every certified journeyman or specialty electrician;

7 (b) Effective January 1, 1983, not more than two noncertified
8 individuals working on any one job site for every specialty electrician
9 or journeyman electrician working as a specialty electrician;

10 (c) Effective January 1, 1983, not more than one noncertified
11 individual working on any one job site for every certified journeyman
12 electrician.

13 The ratio requirements do not apply to ((a)) trade schools and
14 their programs in the electrical construction trade ((established
15 during 1946)) if the programs are approved by the licensing process of
16 the work force training and education coordinating board under chapter
17 28C.10 RCW or if the schools are approved under chapter 28B.85 RCW.

18 An individual who has a current training certificate and who has
19 successfully completed or is currently enrolled in an approved
20 apprenticeship program or in a technical or trade school program in the
21 electrical construction trade in a school approved by the commission
22 for vocational education, may work without direct on-site supervision
23 during the last six months of meeting the practical experience
24 requirements of this chapter.

25 (4) The electrical contractor shall accurately verify and attest to
26 the electrical trainee hours worked by electrical trainees on behalf of
27 the electrical contractor.

28 **Sec. 6.** RCW 19.28.520 and 1980 c 30 s 3 are each amended to read
29 as follows:

30 Any person desiring to be issued a certificate of competency as
31 provided in this chapter shall deliver evidence in a form prescribed by
32 the department affirming that said person has met the qualifications
33 required under RCW 19.28.530(~~(, as now or hereafter amended)~~). An
34 electrician from another jurisdiction applying for a certificate of
35 competency must provide evidence in a form prescribed by the department
36 affirming that the person has the equivalent qualifications to those
37 required under RCW 19.28.530.

1 **Sec. 7.** RCW 19.28.530 and 1988 c 81 s 13 are each amended to read
2 as follows:

3 (1) Upon receipt of the application, the department shall review
4 the application and determine whether the applicant is eligible to take
5 an examination for the journeyman or specialty certificate of
6 competency.

7 (a) To be eligible to take the examination for a journeyman
8 certificate the applicant must have:

9 (i) Worked in the electrical construction trade for a minimum of
10 four years employed full time, of which two years shall be in
11 industrial or commercial electrical installation under the supervision
12 of a journeyman electrician (~~((certified under this chapter))~~) and not
13 more than a total of two years in all specialties under the supervision
14 of a journeyman electrician (~~((certified under this chapter))~~) or an
15 appropriate specialty electrician (~~((certified under this chapter or~~
16 ~~have))~~); or

17 (ii) Successfully completed an apprenticeship program approved
18 under chapter 49.04 RCW for the electrical construction trade or
19 successfully completed a technical or trade school program in the
20 electrical construction trade in a program that is licensed by the work
21 force training and education coordinating board under chapter 28C.10
22 RCW or in a school that is approved under chapter 28B.85 RCW.

23 (b) To be eligible to take the examination to become a specialty
24 electrician the applicant shall have:

25 (i) Worked in that specialty of the electrical construction trade,
26 under the supervision of a journeyman electrician (~~((certified under~~
27 ~~this chapter))~~) or an appropriate specialty electrician (~~((certified~~
28 ~~under this chapter))~~), for a minimum of two years employed full
29 time(~~((7))~~); or (~~((have))~~)

30 (ii) Successfully completed an approved apprenticeship program
31 under chapter 49.04 RCW for the applicant's specialty in the electrical
32 construction trade(~~((7~~

33 ~~Before January 1, 1984, applicants for nonresidential maintenance~~
34 ~~specialty licenses are eligible to become nonresidential maintenance~~
35 ~~specialists upon certification to the department that they have the~~
36 ~~equivalent of two years full-time experience in that specialty field.~~
37 ~~Persons applying before January 1, 1984, for a journeyman certificate~~
38 ~~are eligible to take the examination to become journeymen until July 1,~~
39 ~~1984, upon certification to the department that they have the~~

1 equivalent of five years full-time experience in nonresidential
2 maintenance, of which two years shall be in industrial electrical
3 installation)) or successfully completed a technical or trade school
4 program in the applicant's specialty in the electrical construction
5 trade in a program that is licensed by the work force training and
6 education coordinating board under chapter 28C.10 RCW or in a school
7 that is approved under chapter 28B.85 RCW.

8 (c) Any applicant who has successfully completed a two-year
9 technical or trade school program in the electrical construction trade,
10 in a program that is licensed by the work force training and education
11 coordinating board under chapter 28C.10 RCW, or in a school that is
12 approved ((by the commission for vocational education))under chapter
13 28B.85 RCW, may substitute up to two years of the technical or trade
14 school program for two years of work experience under a journeyman
15 electrician. The applicant shall obtain the additional two years of
16 work experience required in industrial or commercial electrical
17 installation prior to the beginning, or after the completion, of the
18 technical or trade school program. Any applicant who has received
19 training in the electrical construction trade in the armed service of
20 the United States may be eligible to take the examination for the
21 certificate of competency. ((Any applicant who is a graduate of a
22 trade school program in the electrical construction trade that was
23 established during 1946 is eligible to take the examination for the
24 certificate of competency.))

25 (d) No other requirement for eligibility may be imposed.

26 (2) The department shall establish reasonable rules for the
27 examinations to be given applicants for certificates of competency. In
28 establishing the rules, the department shall consult with the board.
29 Upon determination that the applicant is eligible to take the
30 examination, the department shall so notify the applicant, indicating
31 the time and place for taking the examination.

32 **Sec. 8.** RCW 39.12.021 and 1989 c 12 s 8 are each amended to read
33 as follows:

34 Apprentice workers employed upon public works projects for whom an
35 apprenticeship or trainee agreement has been registered and approved
36 with the state apprenticeship council pursuant to chapter 49.04 RCW or
37 the federal bureau of apprenticeship and training, must be paid at
38 least the prevailing hourly rate for an apprentice of that trade. Any

1 worker for whom an apprenticeship or trainee agreement has not been
2 registered and approved (~~(by the state apprenticeship council)~~) shall
3 be considered to be a fully qualified journey level worker, and,
4 therefore, shall be paid at the prevailing hourly rate for journey
5 level workers.

6 NEW SECTION. **Sec. 9.** Sections 2 through 4 of this act are each
7 added to chapter 28C.04 RCW.

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